



**STATE OF MONTANA
DEPARTMENT OF CORRECTIONS
POLICY DIRECTIVE**

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| Policy No. DOC 4.5.27 | Subject: OFFENDER MENTAL HEALTH SERVICES |
| Chapter 4: FACILITY/PROGRAM SERVICES | Page 1 of 2 and Attachment |
| Section 5: Clinical Services | Effective Date: Sept. 1, 1998 |
| Department Director Signature: /s/ Reginald D. Michael | Revised: 08/11/2017 |
| Medical Director Signature: /s/ Paul Rees, M.D. | |
| Clinical Services Division Administrator Signature: /s/ Connie Winner | |

I. POLICY

The Department of Corrections facilities will provide access to mental health services at intake and as clinically indicated for offenders who suffer from mental disorders.

II. APPLICABILITY

All secure care facilities Department-owned and contracted, as specified in contract.

III. DEFINITIONS:

Mental Disorder – As defined by 53-21-102, MCA, any organic, mental, or emotional impairment that has substantial adverse effects on an individual's cognitive or volitional functions. As defined by DSM-V, a syndrome characterized by clinically significant disturbance in an individual's cognition, emotion regulation, or behavior that reflects a dysfunction in the psychological, biological, or developmental processes underlying mental functioning.

Mental Health Staff - Qualified health care professionals who have received instruction and supervision in identifying and interacting with individuals in need of mental health services.

Mental Health Services – The use of a variety of psychosocial and pharmacological individual or group therapies, including biological, psychological, and social, to alleviate symptoms, attain appropriate functioning, and prevent relapse.

Qualified Mental Health Professionals – Psychiatrists, psychologists, psychiatric social workers, psychiatric nurses, licensed professional counselors and others who by virtue of their education, credentials, and experience are permitted by law to evaluate and care for the mental health needs of offenders

IV. DEPARTMENT DIRECTIVES

A. Requirements

1. Qualified mental health professionals will provide:
 - a. services that assess and identify offenders who have a current or past history of mental disorder within 14 days of admission for adults and within 7 days of admission for juveniles;
 - b. dosage of treatment related to individual needs;

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- c. voluntary treatment unless treatment providers determine the offender is gravely disabled or a significant danger to self or others;
 - d. procedures to ensure treatment providers refer all offenders for further psychological or psychiatric evaluation and treatment when indicated;
 - e. crisis intervention for suicide attempts or acute mental distress; and
 - f. timely responses in the delivery of mental health services from referrals.
- 2. Each facility will develop procedures that address:
 - a. scope of available services;
 - b. the process by which an offender may access or is referred for services utilizing the [Request for Mental Health Services](#) form;
 - c. training for use of seclusion, restraints, or forced psychotropic medication, if permitted by the facility;
 - d. education and training of custody and clinical staff in suicide prevention and recognition of mental illness;
 - e. crisis intervention and emergency referrals;
 - f. medication monitoring and periodic re-evaluation;
 - g. offender right to refuse treatment and the method of documentation; and
 - h. education and training on confidentiality of mental health information for facility and health care staff who observe or overhear mental health encounters.

V. CLOSING

Questions concerning this policy should be directed to the Clinical Services Division administrator.

VI. REFERENCES

- A. 53-1-203, MCA; 53-21-102(9)(a), MCA
- B. P-G-04; *National Commission on Correctional Health Care Standards for Health Services in Prisons, 2014*
- C. MH-G-01; *National Commission on Correctional Health Care Standards for Mental Health Services in Correctional Facilities, 2015*
- D. Y-G-04; *National Commission on Correctional Health Care Standards for Health Services in Juvenile Detention and Confinement Facilities, 2015*
- E. *ACA Standards for Juvenile Correctional Facilities, 2003*
- F. *Washington v. Harper: 494 U.S.210 (1990)*

VII. ATTACHMENT

[Request for Mental Health Services](#)